

## **The Information Commissioner's response to the Welsh Government's consultation on a Code of Practice for the Delivery of Autism Services**

### **About the ICO**

The Information Commissioner has responsibility for promoting and enforcing the EU General Data Protection Regulation ('GDPR'), the Data Protection Act 2018 ('DPA'), the Freedom of Information Act 2000 ('FOIA'), the Environmental Information Regulations 2004 ('EIR') and the Privacy and Electronic Communications Regulations 2003 ('PECR'). She is independent from government and upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals. The Commissioner does this by providing guidance to individuals and organisations, solving problems where she can, and taking appropriate action where the law is broken.

The Commissioner welcomes the opportunity to respond to the Welsh Government's consultation on a Code of Practice for the delivery of autism services.

We have reviewed the consultation paper and whilst the data protection elements of the Code appear to be minimal, there are aspects of the Code that require organisations to promptly share information. It is likely that this information will be of a personal nature, and equally likely that it would fall into one of the special categories of personal data defined in data protection laws. Inappropriate sharing of this information could have a profound impact on the privacy of individuals as a result.

In our experience, the implementation of appropriate information sharing schemes can prove to be a challenge for those bodies involved. We would therefore welcome an opportunity to engage with the Welsh Government on how the Code could assist organisations in ensuring that information is shared not only promptly, but also appropriately and with the individual at the heart of the process.

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